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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/445,769	04/19/2000	DO-HYOUNG KIM	Q57164	1355

7590 11/28/2006

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WASHINGTON, DC 20037-3202

EXAMINER	
PEYTON, TAMMARA R	

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/445,769	KIM, DO-HYOUNG	
	Examiner	Art Unit	
	Tammara R Peyton	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 September 2006* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Mano et al.*, (US 5,793,366) in view of *Lawande et al.*, (U.S. 6,405,247). Applicant's arguments are not persuasive based on the following rejections and the Request for reconsideration filed 9/6/06.

Response to Applicant's Arguments

As to claims 1, 4-7, 12, and 15, Applicant argues that *Mano* specifically teaches whether the GUI device is a client device in *Mano's* system. However, *Mano* teaches a system that integrates the IEEE 1394 protocol and the GUI device of *Mano* monitors/detects the presence of newly attached devices and establishes a communication channel with the newly attached device. Furthermore, the GUI device monitors the changes of the operational state of the connected devices. It is well known in the art that in an IEEE 1394 protocol system devices connected to the system will either be a client or server device and Examiner is taking the position that the GUI device of *Mano* is a client device because it is part of an IEEE 1394 computer network of devices that will recognize signals from the various (newly connected) digital devices. Furthermore, Examiner is unsure why applicant argues that *Mano's* GUI device does not perform the functions of the client device as described in the claimed invention, nonetheless, Examiner's position is that the GUI device is a client device in *Mano's*

system that performs the functions described in the claimed invention wherein the GUI device monitors/detects a change in the operation state of at least one connected digital device and establishes a communication channel with any newly attached device. Furthermore, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

As to applicant's arguments that *Lawande* does not teach the use of client devices, *Lawande* teaches a method and apparatus for operating the Internet protocol over a high-speed serial bus (IEEE 1394) so as to allow different *nodes* to be inserted or removed from the network without disturbing the on-going traffic on the system (col. 16, lines 8-38). It would be apparent to one of ordinary skill at the time the invention was made that the term *nodes* is a broad term that would encompass client nodes or server nodes, etc. as long as it relates to computer/network related systems. "The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference." *In re Bozek*, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969).

As to claims 2 and 13, applicant's argues that Mano does not teach polling for server devices and Examiner agrees with applicant that Mano does not expressly uses the term polling. However, Examiner is taking the position that Mano's system teaches discovering that a device is connected via receiving a signal after the device is "hot plugged" (plug and play type detection) to the serial bus network. It would have been apparent to one of ordinary skill at the time the invention was made that polling procedures may be contained in Mano's operational software which polls components that are hot-plugged into the serial bus network. Mano does not need to expressly use the term polling in the disclosure since one skilled in the art is presumed to know something about the art apart from what the references literally disclose. (see *In re Jacoby*, 309 F.2d 513, 135 USPQ 317 (CCPA 1962)). Nonetheless, official note is

taken that polling is a well known method of detecting newly connected devices and depending upon the applications utilized Mano would have been motivated to implement this advance method of device detection without departing from Mano's inventive concept.

As per claim 3 and 14, *Mano* teaches of the client device establishing the communication channel with respect to the server device. However, *Mano* does not teach the use of a Java applet. Nonetheless, it would have been obvious to one of ordinary skill that Java applet applications are well known in the art. Further, *Mano* teaches of using GUIs that provides real-time displays of animated images representing devices coupled to a bus structure. Therefore, *Mano* would have been motivated to implement Java applets into the GUI in order to expand the flexibility of *Mano's* real-time displays of devices coupled to the bus structure.

As per claims 8 -11, *Mano* teaches wherein said operation states comprise at least one play, tray-open, pause, and stop.

As per claims 16-18, *Mano-Lawande* teaches wherein in order to determine whether there is a change in the operation state of the specific server device, the client device memorizes a previous operation state of the specific server device (via the animated screen), compares a current operation state indicated by said predetermined

serial to said previous operation state, and determines whether the previous operation state and the current operation state are different.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization

where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

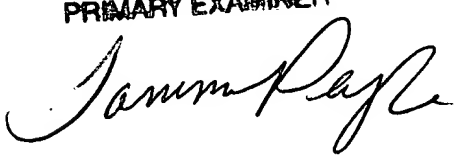
Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

401 Dulany Street

Alexandria, VA 22314.

TAMMARA PEYTON
PRIMARY EXAMINER



Tammara Peyton
November 22, 2006